



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

July 28, 2010

David S. Houston
Pillsbury Winthrop Shaw Pittman, LLP
1650 Tysons Boulevard, Suite 1400
McLean, VA 22102

Re: Special Exception Application SE 2010-MA-007

Dear Mr. Houston:

At a regular meeting of the Board of Supervisors held on July 27, 2010, the Board approved Special Exception Application SE 2010-MA-007 in the name of Safeway, Incorporated. The subject property is located 6118 Arlington Boulevard on approximately 10.57 acres of land, zoned C-7, CRD and SC in the Mason District [Tax Map 51-4 ((1)) 2B]. The Board's action permits a waiver of certain sign regulations, pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. Other by-right, special exception and/or special permit uses may be permitted without a special exception amendment if they do not affect this special exception.
3. This Special Exception is subject to the issuance of a Sign Permit(s). Any permit issued pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Safeway Special Exception Plat (Signage Only)," consisting of four sheets prepared by Bohler Engineering, and dated March 29, 2010, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance; changes to names, lettering or logo shall be considered minor modifications so long as they do not result in an increase in sign size.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

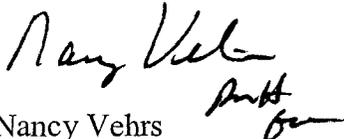
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. Signage for the Safeway grocery store shall be limited to that shown on the special exception plat as follows (labels reflect SE Plat and Attachment 1):

	Sign Description	Sign Area
<i>G</i>	Front: Main Entrance (Safeway & logo)	126.50 sq ft
<i>I</i>	Front: Secondary Entrance (small Safeway & logo - stacked)	33.18 sq ft
<i>C</i>	Side: Patrick Henry frontage (Safeway & logo)	71.20 sq ft
<i>E</i>	Front: Accessory (café)	25.0 sq ft
<i>D</i>	Front: Accessory (pharmacy)	26.33 sq ft
<i>H</i>	Front: Accessory (dry cleaner)	17.60 sq ft
<i>F</i>	Front: Accessory (coffee store)	15.66 sq ft
	Total building mounted signage	315.47 sq ft

5. Signage for other tenants and free standing signage shall not be limited by this special exception.

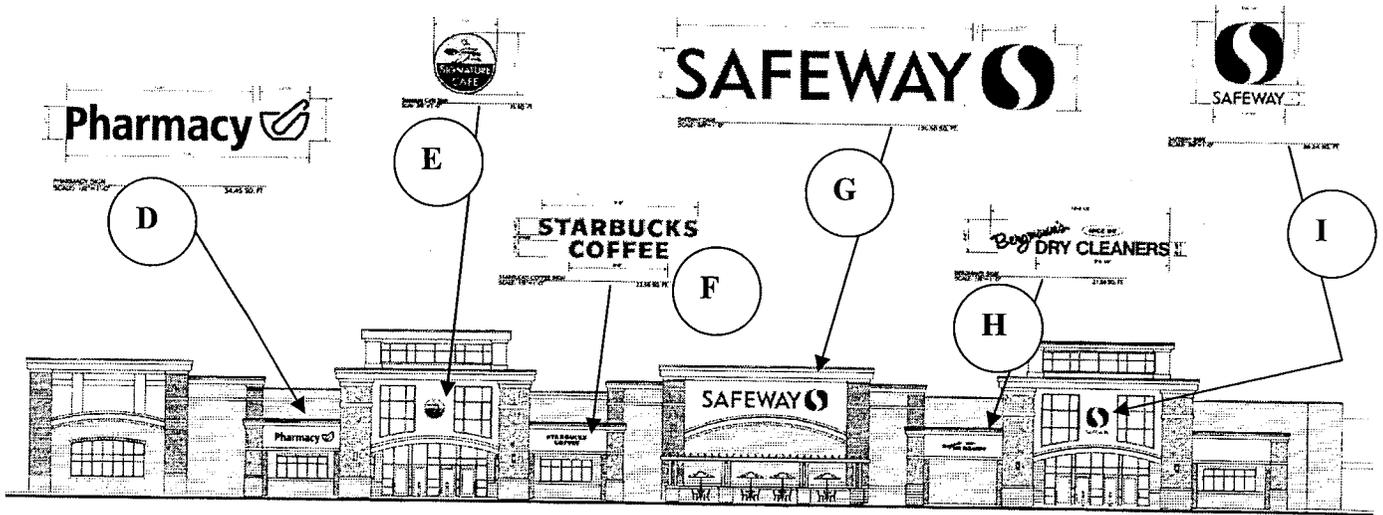
Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors
NV/ph

Cc: Chairman Sharon Bulova
Supervisor Penelope Gross, Mason District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

Front Façade (facing parking lot and Route 50):



Side Façade (facing Patrick Henry Drive)



EXIHIBIT A

Waiver #2615-WPFM-002-1 Conditions

Reston Station
Rezoning/Final Development Plan Application #RZ 2009-HM-019
February 12, 2010

1. The underground facilities shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facilities shall have a minimum height of 72 inches.
3. The underground facilities shall be constructed of reinforced concrete products only and incorporate safety features, such as including locking manholes and doors, as determined by DPWES at the time of construction plan submission.
4. The underground facilities shall be privately maintained and shall not be located in a County storm drain easement.
5. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the Land Records of the County. The private maintenance agreement shall be executed prior to final plan approval.

The private maintenance agreement shall address:

- County inspection and all other issues as may be necessary to insure that the facilities is maintained by the community association in good working condition acceptable to the County so as to control stormwater generated from the redevelopment of the site and to minimize the possibility of clogging events.
 - A condition that the community association and its successors or assigns shall not petition the County to assume maintenance of or to replace the underground facilities.
 - Establishment of procedures to facilitate inspection by the County, i.e. advance notice procedure, whom to contact, who has the access keys, etc.
 - A condition that the community association provide and continuously maintain liability insurance. The liability insurance amount shall be at least \$1,000,000 against claims associated with underground facilities.
 - A condition that all operation, inspection, maintenance, and replacement costs shall be the responsibility of the community association and no individual residential unit, or any residential condominium owners association which may be formed in the future, shall be responsible for these costs as described in Proffer IV.23.
 - A statement that Fairfax County shall be held harmless from any liability associated with the facilities.
6. Operation, inspection, and maintenance procedures associated with the underground facilities shall be incorporated into the site construction plan and private maintenance agreement which insure safe operation, inspection, and maintenance of the facilities.